

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-EIGHTH DAY

(Monday, May 27, 2013)

The Senate met at 11:02 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

The President announced that a quorum of the Senate was present.

Pastor Bernard Buhl, One Way Baptist Church, Round Rock, offered the invocation as follows:

Dear heavenly Father, I come to Thee invoking the power of Your presence and spirit upon this 83rd Legislature session. I pray for each Senate representative that is present and ask that Your sovereign wisdom rest upon their minds and hearts and that their ears be attentive to Your godly counsel. I pray that You allow every statewide leader, both woman and man, to conduct this session with Your integrity for Your glory. I believe and trust that as Your power and presence illuminate this meeting with Your spirit, that skillfulness and godly wisdom would reign supreme. I pray that You navigate their hearts that every word, every decision, and every action will represent unity and be designed to administer positive change throughout the State of Texas. We give You thanks in advance for what will come as a result of this session, their time and their fellowship one with another. In Your holy name, I pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Schwertner was recognized and presented Dr. Lamia Kadir of Austin as the Physician of the Day.

The Senate welcomed Dr. Kadir and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 1096
(Caucus Report)

Senator Whitmire offered the following resolution:

BE IT RESOLVED BY THE SENATE OF THE STATE OF TEXAS:

SECTION 1. CAUCUS REPORT. At a caucus held on May 27, 2013, and attended by 30 members of the senate, the caucus made the recommendations for the operation of the senate contained in this resolution.

SECTION 2. EMPLOYEES. (a) The lieutenant governor may employ the employees necessary for the operation of the office of the lieutenant governor from the closing of this session and until the convening of the next session. The lieutenant governor and the secretary of the senate shall be furnished postage, telegraph, telephone, express, and all other expenses incident to their respective offices.

(b) The secretary of the senate is the chief executive administrator and shall be retained during the interval between adjournment of this session and the convening of the next session of the legislature. The secretary of the senate may employ the employees necessary for the operation of the senate and to perform duties as may be required in connection with the business of the state from the closing of this session and until the convening of the next session.

(c) Each senator may employ secretarial and other office staff for the senator's office.

(d) The chairman of the administration committee is authorized to retain a sufficient number of staff employees to conclude the work of the enrolling clerk, calendar clerk, journal clerk, and sergeant-at-arms. The administration committee shall establish the salaries for the senate staff.

SECTION 3. SENATE OFFICERS. (a) The following elected officers of the 83rd Legislature shall serve for the interval between adjournment of this session and the convening of the next session of the legislature:

- (1) Secretary of the Senate—Patsy Spaw;
- (2) Calendar Clerk—Linda Tubbs;
- (3) Doorkeeper—Austin Osborn;
- (4) Enrolling Clerk—Patience Worrel;
- (5) Journal Clerk—Polly Emerson; and
- (6) Sergeant-at-Arms—Rick DeLeon.

(b) All employees and elected officers of the senate shall operate under the direct supervision of the secretary of the senate during the interim.

(c) Officers named in this section serve at the will of the senate.

SECTION 4. DUTIES OF CHAIRMAN OF ADMINISTRATION COMMITTEE. (a) The chairman of the administration committee shall place the senate chamber in order and purchase supplies and make all necessary repairs and improvements between the adjournment of this session and the convening of the next session of the legislature.

(b) The chairman shall make an inventory of all furniture and fixtures in the senate chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the purchasing and supply department and shall close the books for the Regular Session of the 83rd Legislature.

(c) The chairman shall not acquire any equipment on a rental/purchase plan unless the equipment is placed on the senate inventory at the termination of the plan.

(d) The chairman shall examine records and accounts payable out of the contingent expense fund as necessary to approve all claims and accounts against the senate, and no claim or account shall be paid without the consent and approval of the chairman.

(e) The chairman and any member of the administration committee shall be entitled to receive actual and necessary expenses incurred during the interim.

(f) In addition to the duties of the administration committee expressly imposed by this resolution, the committee shall take actions necessary to ensure that the administrative operations of the senate comply with applicable law and are conducted effectively and efficiently.

SECTION 5. JOURNAL. (a) The secretary of the senate shall have 225 volumes of the Senate Journal of the Regular Session of the 83rd Legislature printed. Two hundred and twenty-five copies shall be bound in buckram and delivered to the secretary of the senate who shall forward one volume to each member of the senate, the lieutenant governor, and each member of the house of representatives on request.

(b) The printing of the journals shall be done in accordance with the provisions of this resolution under the supervision of the chairman of the administration committee. The chairman shall refuse to receive or receipt for the journals until corrected and published in accordance with the preexisting law as finally approved by the chairman of the administration committee. When the accounts have been certified by the chairman of the administration committee, the accounts shall be paid out of the contingent expense fund of the 83rd Legislature.

SECTION 6. PAYMENT OF SALARIES AND EXPENSES. (a) Salaries and expenses authorized by this resolution shall be paid out of the per diem and contingent expense fund of the 83rd Legislature as provided by this section.

(b) The senate shall request the comptroller of public accounts to issue general revenue warrants for:

(1) payment of the employees of the lieutenant governor's office, the lieutenant governor, members of the senate, employees of the senate committees, and employees of the senate, except as provided by Subchapter H, Chapter 660, Government Code, upon presentation of the payroll account signed by the chairman of the administration committee and the secretary of the senate; and

(2) the payment of materials, supplies, and expenses of the senate, including travel expenses for members and employees, upon vouchers signed by the chairman of the administration committee and the secretary of the senate.

SECTION 7. EXPENSE REIMBURSEMENT AND PER DIEM. (a) In furtherance of the legislative duties and responsibilities of the senate, the administration committee shall charge to the individual member's office budget:

(1) the reimbursement of all actual expenses incurred by the members when traveling in performance of legislative duties and responsibilities or incident to those duties; and

(2) the payment of all other reasonable and necessary expenses for the operation of the office of the individual senator during any period the legislature is not in session. Expenditures for these services by the administration committee are authorized as an expense of the senate and shall not be restricted to Austin but may be incurred in individual senatorial districts. Such expenses shall be paid from funds appropriated for the use of the senate on vouchers approved by the chairman of the administration committee and the secretary of the senate in accordance with regulations governing such expenditures.

(b) Each senator shall be permitted a payroll of \$38,000 per month to employ secretarial and other office staff and for intrastate travel expenses for staff employees. This payroll amount accrues on the first day of the month and may not be expended prior to the month in which it accrues, but any unexpended portion for a month may be carried forward from month to month until the end of the fiscal year. An unexpended amount remaining at the end of each fiscal year, not to exceed \$10,000, may be carried forward to the next fiscal year. Other expenses, including travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or in operation of the member's office or incident thereto, shall be provided in addition to the maximum salary authorized.

(c) The secretary of the senate may order reimbursement for legislative expenses consistent with this resolution and the establishment by the Texas Ethics Commission of per diem rates.

(d) Any member of the senate and the lieutenant governor are eligible to receive such reimbursement on application of the member or the lieutenant governor to the secretary of the senate.

(e) On the application of a member of the senate or the lieutenant governor, the applicant shall be entitled to reimbursement for legislative expenses for each legislative day.

(f) For purposes of this section, a legislative day includes each day of a regular or special session of the legislature, including any day the legislature is not in session for a period of four consecutive days or less, and all days the legislature is not in session if the senator or lieutenant governor attends a meeting of a joint, special, or legislative committee as evidenced by the official record of the body, and each day, limited to 12 days per month for non-chairs or 16 days per month for chairs and the lieutenant governor, the senator or the lieutenant governor, including those living within a 50-mile radius, is otherwise engaged in legislative business as evidenced by claims submitted to the chairman of the administration committee.

SECTION 8. MEMBER'S EMPLOYEE LEAVE POLICY. (a) An employee of a senator accrues vacation leave, compensatory leave, or sick leave in accordance with policies adopted by the senator consistent with the requirements of this section.

(b) An employee may accrue vacation leave, compensatory leave, or sick leave only if the employee files a monthly time record with the senate human resources office. Time records are due not later than the 10th day of the following month.

(c) Compensatory time must be used not later than the last day of the 12th month following the month in which the time was accrued.

(d) An employee is not entitled to compensation for accrued but unused compensatory time.

SECTION 9. DESIGNATION FOR ATTENDANCE AT MEETINGS AND FUNCTIONS. (a) The lieutenant governor may appoint any member of the senate, the secretary of the senate, or any other senate employee to attend meetings of the National Conference of State Legislatures and other similar meetings. Necessary and actual expenses are authorized upon the approval of the chairman of the administration committee and the secretary of the senate.

(b) The lieutenant governor may designate a member of the senate to represent the senate at ceremonies and ceremonial functions. The necessary expenses of the senator and necessary staff for this purpose shall be paid pursuant to a budget approved by the administration committee.

SECTION 10. MEETINGS DURING INTERIM. (a) Each of the standing committees and subcommittees of the senate of the 83rd Legislature may continue to meet at such times and places during the interim as determined by such committees and subcommittees and to hold hearings, recommend legislation, and perform research on matters directed either by resolution, the lieutenant governor, or as determined by majority vote of each committee.

(b) Each continuing committee and subcommittee shall continue to function under the rules adopted during the legislative session where applicable.

(c) Expenses for the operation of these committees and subcommittees shall be paid pursuant to a budget prepared by each committee and approved by the administration committee.

(d) The operating expenses of these committees shall be paid from the contingent expense fund of the senate, and committee members shall be reimbursed for their actual expenses incurred in carrying out the duties of the committees.

SECTION 11. SENATE OFFICES. Members not returning for the 84th Legislature shall vacate their senate offices by December 1, 2014.

SECTION 12. FURNISHING OF INFORMATION BY SENATE EMPLOYEE. An employee of the senate may not furnish any information to any person, firm, or corporation other than general information pertaining to the senate and routinely furnished to the public.

SECTION 13. OUTSIDE EMPLOYMENT. An employee of the senate may not be employed by and receive compensation from any other person, firm, or corporation during the employee's senate employment without the permission of the employee's senate employer.

SECTION 14. REMOVAL OF SENATE PROPERTY. The secretary of the senate is specifically directed not to permit the removal of any of the property of the senate from the senate chamber or the rooms of the senate except as authorized by the chairman of the administration committee.

SR 1096 was read and was adopted by the following vote: Yeas 31, Nays 0.

ELECTION OF PRESIDENT PRO TEMPORE AD INTERIM EIGHTY-THIRD LEGISLATURE

The President announced that the time had arrived for the election of President Pro Tempore Ad Interim of the 83rd Legislature.

Senator Whitmire placed in nomination the name of Senator Craig Estes for the office of President Pro Tempore Ad Interim of the 83rd Legislature.

On motion of Senator Ellis and by unanimous consent, the nominating speech by Senator Whitmire and the remarks made to second the nomination were ordered reduced to writing and printed in the *Senate Journal* as follows:

President: Members, the next order of business is the election of the President Pro Tempore. Chair recognizes Senator Whitmire.

Senator Whitmire: Thank you, Mr. President and Members and guests. Senator Estes has asked me to place his name in nomination as President Pro Tempore of the State Senate for the period in which we leave today and for the important matters of whether it be a special or the management of the state in the absence of the Governor and Lieutenant Governor, being out of the state. We want to, on behalf of all Senators, welcome his wife, Jennifer, his three children, Abby, Andrew, and Mark, and their grandchildren, which I'm certain we'll hear more description of by Senator Estes later this morning. I rise, Members, very aware that today is Memorial Day where we honor our fallen heroes of our Armed Services, the men and women who have given the ultimate sacrifice to our country so that we can have this process today. And as we recognize one of our colleagues with a very special recognition, I would like to, Craig, recognize you for two facets, for being our colleague. Obviously, I will get to your legislative accomplishments, your protection of property rights, and other legislative matters, but, Members, I want to make this nomination in the context of 31 Senators having what I believe, in my 30 years of service in this body, is the best environment, the most respectful working relationship of any session I've seen in 30 years. It hasn't always been as respectful as we enjoy today. In years past, Senator Nelson, there have been bullies that we had to deal with. I could name them. In years past, as a freshman, I was expected to be seen and not heard. And if you stood up to introduce a bill, senior Members would point out that you had not fully considered your entire bill. They would ask you for a line on a distant page. Those days are long gone. As I said, this is as good a climate of respect and accomplishment of any in my 30 years of service. Many reasons I could describe, as been pointed out previously, we have excellent freshmen Members that their chemistry, experience, and knowledge has blended in with all of us. I would suggest the two-thirds rule has required us to keep working and talking and building consensus. Senator Patrick, your accomplishments with charter schools, testing, would not have been possible but for that rule. And I could give other examples. But as I recognize our colleague and place his name in nomination, Craig, you are right up at the top of one of the elements and the reasons why we do so well and respect each other so much, why we are truly a family. If someone was to tell me they heard Craig Estes raise his voice in a committee room or in a back meeting, I wouldn't believe it. Craig sets the tone. He regularly comes by my desk and says, Senator so-and-so is not having a good day. He regularly tries to

make each and every one of us be a better Senator and better represent our district. He is a gentleman. He is a colleague. He regularly invokes his faith when we are in deliberations and we hit an impasse. I cannot more state how I want Craig Estes to be recognized, not only for his legislation and his statutes but what he does for this legislative body. We are all better Senators, we are better people because of Craig Estes. You know what I'm talking about. He knows what I'm talking about. He brings us together, he sets the example. I literally look forward, Senator Carona, to go in to Business and Commerce, because every Tuesday morning I get to start my day sitting next to Craig. He will share his concerns about this body, about me, about the committee, and we all benefit from that. And, in fact, as I move into his legislative accomplishments, he is a part of all of our legislation that becomes law, because he helps us have such a good environment to work. He regularly gets us together to share our faith. He lives his Senate service, recognizing, honoring his God, his family, his country. He makes us a better body. He also has shown leadership. Let me digress for a moment, one of the pleasures of being the Dean of the Senate is, I have had the honor and the pleasure of watching each and every one of you get here. I recall when Craig got here in 2001. He was elected in a special election. He got here, he has developed into an outstanding Senator, a Chairman of Agriculture and Homeland Security during a most challenging time for our state and our country in terms of security. I can remember session before last, he passed legislation protecting property rights to control the abuses of eminent domain. That was a challenge that he met and accomplished, almost got the Houston port commission out of the eminent domain business. And he was a very tough adversary, along with Senator Duncan. He is an outstanding protector of the Second Amendment, as we all are. He is very effective in his committee. Senators, I could go on and on describing the legislative accomplishments. I could talk about how this man never lets us forget who we represent, how we got here, what our purpose is. Craig, I'm honored that you would allow me to publicly call you a colleague, a friend, and to let you know that your service has made me a better Senator and probably more importantly, a better person. You have allowed me to learn about my faith through your leadership and your mentoring, as you have so many other Senators. Members, it is a great honor to yield the floor but to not only recognize Craig Estes as an outstanding Senator but an outstanding human being, who actually on a daily basis makes this Senate a more collegiate, a more outstanding body of lawmakers working together for the common good. And I hope we will continue to look to Senator Estes for leadership in that regard. When we get into a stalemate or controversy, Craig can show us the pathway to building a consensus. Thank you, Mr. President.

President: Dean, thank you, I think all of us agree. Chair recognizes Senator Fraser to second the nomination.

Senator Fraser: Thank you, Mr. President. Members, I am both pleased and extremely honored to rise to second the nomination of my extremely good friend, Craig Estes, for President Pro Tempore of the Texas Senate. Craig, as we know, was elected in a special election in 2001, and since then he's continued to make a lasting impression on every Member of the body that has served with him. As a former Rotarian, Craig embodies the Rotarian motto of service above self but actually takes a step further. With those of you that are Rotarians, you know that Rotarians live by

what we call the Rotarians' four-way test. And at the start of every meeting, you stand up and you quote the four-way test. Is it the truth? Is it fair to all concerned? Will it build goodwill and better friendships? And will it be beneficial to all concerned? Craig Estes embodies the four-way test, and I have to say as a former Rotarian, as a young businessman come to the Legislature, that must have made a big impression on your life, because if I was describing the way you govern, that would be, I think, the way that I would describe Craig Estes. Any time we have a crisis, those of you that have been here for a while, things get a little testy. We end up going back trying to work it out, things will get a little off-center, and Craig is always the first one to stand up and say, Guys, can't we just get along? You know, we are in this together. And I don't know how many times I've heard you say that statement that He is the ultimate peacemaker among us. I remember very clearly my first conversation with Craig Estes. I had heard about this businessman from Wichita Falls. I knew that he was in the agricultural business, so it was going to be a good agriculture vote. I'd heard that he was likely to be a strong conservative, and so I called him, picked up the phone, called. We exchanged some words, I was asking a few questions about himself, and 30 seconds into the conversation, he asked me for money. He said, Senator, I know you got a lot of money in your campaign account, I'd really appreciate it if you write me a good check. I said at that point I knew he was likely to get elected. This guy understood the drill, and that first conversation, but I also recognized at that point that we had a lot in common. We are both business people. We, there was going to have a loyalty to the agriculture community because where we are from. We had married way over our head and had a wonderful wife. We both had three children, one of which children, both of us have an Andrew. Today, Craig has four grandchildren, one girl, three boys, exactly the same as us, has one in the oven, a girl on the way, same as us. So, it's not uncommon or it's not unusual that you and I would've chosen through our most entire career, that we have sat next to each other on the Senate floor. In Business and Commerce, you served because I chaired that. You're my Vice-chair of Natural Resources, sitting beside me. Craig Estes has been a friend, an ally, a true conservative. I've watched him vote for his whole time here. And those 811,000 people that he represents, he has done a wonderful job voting the interest of the people in his district. Craig has a lot of legislation that he can be proud of. But, I think, probably the first, the thing that you'd be most proud of is legislation which, I think, was Senate Bill 18, landmark legislation last year that was to address eminent domain and the personal property rights legislation. I watched you shepherd that through, and even today the impact of that still ripples through the Legislature. Craig, outside the Legislature, he, all of you see him here, sitting here, but outside, you don't realize that he is an avid outdoorsman. He was a mountain climber prior to, in a prior life, I guess, before coming to the Legislature. He told me he could snow ski. I challenged him on that, and the big guy can snow ski. He can get down the mountain. He is a world-class fly fisherman. You think that's stretching? The other thing I think a lot of you all recognize, you probably wouldn't realize it unless you've sat next to him in a committee for years, but Craig Estes is a world-class doodler. Little did he realize that in my committee as he was sitting or listening, that he's always doodling, I would pick up his doodles. This one is particularly good. I believe this is the day we were doing the shark fin legislation. This was his doodle that day. This one, I'm not

sure what that one was. And this one, I think he may have been troubled the day that he did this one, that he, every day as he sits there, he continues to do it. Craig, I'm extremely honored that you've allowed me to do this. And if you let me, I'll wrap up with a quote by Albert Schweitzer that maybe best described Craig. You must give some time to your fellow men, even if it's just a little thing, do something for others. All of us recognize the fact that Craig is an extremely religious person. Through your career here, you have just become the honorary chaplain of this group. And even though you are deeply religious, you don't wear it on your sleeves, but you have a way that when we have a crisis, losing another Senator, losing a parent, a friend, or even this year, losing a grandchild, you are always the one that steps forward and helps us move forward and leads us in prayer. And we both understand and respect and thank you for that. As your friend, as a fellow conservative, as a committee, working together, and as your deskmate, I am extremely honored that you would allow me to place your name in nomination for President Pro Tempore. Thank you, Craig.

President: Thank you, Senator Fraser, well said. Chair recognizes Senator Lucio to second the nomination.

Senator Lucio: Thank you, Mr. President. Members, it is my privilege to rise today and second the nomination of my dear friend, Senator Craig Estes, as President Pro Tempore. I fondly remember Senator Estes' first session, 2001, and I was very happy to help a freshman legislator support his district and hometown of Wichita Falls. It was a great session for him, and it was a wonderful opportunity for me to meet someone that I knew God wanted me to meet. Today, he is a seasoned veteran, a skilled legislator, a man of incredible faith, and I'll repeat that, because that is important to me, and I know it's important to each one of us. He is a man of incredible faith, conviction, and, most of all, a trusted friend. The Texans of District 30 have elected wisely in Senator Craig Estes, and I applaud them for the good sense to continue to send to this distinguished body a man of integrity and outstanding character. Congratulations to you, Senator. I proudly nominate you to lead our body and to do so with the providence of our Lord, the faith of Abraham, the forgiveness of Joseph, the leadership of Moses, the confidence of Joshua, the strength of Samson, the fidelity of Ruth, the courage of David, the wisdom of Solomon, the patience of Job, and, most of all, the resilience of Craig. I hope that we can continue to come together as you have always advocated, Senator, come together as one people, a body of Senators that, and look at what the needs of our great state are, and then work hard to achieve those needs. I know that God gave you a big frame of a body because He knew you were going to have a big heart. And you've shown that continuously over the last 12 years. To this, Senator, for that reason, I proudly rise to second your nomination as President Pro Tempore. And now, I want to ask God to bless you. I want to ask God to bless Texas. And I want to ask you to keep Texas great and strong. Thank you.

President: Thank you, Senator Lucio. Members, if I may, sometimes, as we are selecting our Pro, our President Pro Tempore, a number of people stand, five, 10, 15. But Senator Estes didn't want this to be about him and just asked that two people

could second it, an insight, he wants to focus on the job. Members, the question is on the election of the Senator from Wichita County, Senator Craig Estes, to the office of President Pro Tempore of the Texas Senate during the interim 83rd Legislature.

On motion of Senator Whitmire, Senator Estes was elected President Pro Tempore Ad Interim.

The President declared that the Honorable Craig Estes had been duly elected President Pro Tempore Ad Interim of the 83rd Legislature by acclamation.

The President appointed the following committee to escort Senator Estes and his family to the President's Rostrum: Senators Nelson, Zaffirini, and Patrick.

Senator Estes and his party were then escorted to the President's Rostrum by the committee.

OATH OF OFFICE ADMINISTERED

The President administered the Oath of Office to Senator Estes as follows:

I, Craig Estes, do solemnly swear, that I will faithfully execute the duties of the office of President Pro Tempore Ad Interim of the Senate of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God.

ADDRESS BY PRESIDENT PRO TEMPORE AD INTERIM

President Pro Tempore Ad Interim Estes addressed the Senate as follows:

Thank all of you for your kind words. Wow, it's a great feeling to be up here addressing all of you after what I think has been a very successful session. It's been enjoyable and productive one, I think, and I'm proud to have had the privilege to be a part of this distinguished body. When I first got here, I didn't even know what a President Pro Tempore was, now, I'm it. A few days ago, I was reading Colonel Travis' letter from the Alamo at Senator Van de Putte's festivities for Governor for a Day. And as I got finished doing that, I went back to my office, and I just thought, what kind of mighty men were these that laid the foundations of this great state. And here we are today, we are custodians of what they bled and died to create. What an awesome responsibility we have, Senators. But, first of all, I want to thank my family, all of whom are here today except my dad and his wife, Willie Mae, and Emily and her husband, Roy, in Connecticut. So, I just want to give a shout out. Hi, Dad and Willie Mae, Emily and Roy. Maybe one of these days, I'll get home to see you and visit with you again. And to my wonderful wife, Jennifer, I would not be here without your love and support. Why, I remember your prayers years ago about me finding an exciting challenge in my line of work. And the good Lord really answered that one, didn't He? My three children, Abby, Andrew, and Mark are here in the back. And Robert and Summer, my son-in-law, my daughter-in-law, my four and a half grandchildren are here. I say one-half, because Summer is expecting. I love you all. Thanks for being here. And let me mention the Sheltons, Jennifer's sister, Lacey, my nephew, Ben. Thank you, too. I know

you, my colleagues, want to hear me opine for an hour or so on the issues of the day, but we got little ones in the back, and they might, they're going to get fidgety after a while, in fact, they probably already are. So, let me be brief. First thing I want to do is also thank my staff. In my opinion, I've got the best staff under the pink dome, starting with Noe Barrios, my chief of staff. And my staff back home is top notch also. Really want to thank y'all. You know, I've always tried to hire people that were smarter than myself, and for some reason, it's never been a problem. I don't know why. But all of you endeavor to make me look good every day, and I know that's no easy task. But I really do admire your dedication and your professionalism. When I was first sworn in back in December of 2001, I was more than a little bit nervous. I was really wondering if I had the right stuff to do this job. And I was a little bit intimidated by the incredible group of talented people who occupied this Chamber. Well, most of them have left by now, and I feel right at home with all the rest of you that remain. But seriously, I did discover that Senators do just put on their pants one leg at a time, like everyone else. And the day I was sworn in, I quoted from the Hebrew scriptures, from Micah, and it goes, To do justice and love mercy and walk humbly with your God. And I really thought I was bringing some new thinking to the body politic. But after a few years in public service, I realize that reading that scripture out of Micah was akin to reading I Corinthians 13, the love chapter, at a wedding, almost everybody seems to do it. But I still do maintain that the part of, about walking humbly, can be a real challenge for those of us in the Texas Senate. But one of the things I love about this place is that we come together most of the time for the common good of Texas. I've often wondered what makes us so much less partisan in this great deliberative body than our counterparts in Washington, D.C. We're all as passionate about our beliefs as they are, and we all more or less love our political parties. But I would suggest to you, there's three things that are different about us in the Texas Senate and, really, these three things are absurdly simple. Number one, we sit together, intermingled on the Senate floor. So, that term that you hear all the time, across the aisle, has no meaning here. Secondly, we eat lunch together. In Washington, I'm told lunchrooms are separated by party. Thirdly, we fellowship together. Now, whether it's an evening dinner out on the town, usually organized by Senator Eltife, or just getting together early on Thursday mornings in the Dean's office for a cup of coffee, you know people that sit together and eat together and fellowship together usually don't stay mad at each other for very long. And I'm convinced that we all care for each other personally and professionally. And I hope we never lose that mutual respect because it helps us to do a better job for all Texans. You know, a lot has been said in this last decade about the recent history of our state, about our huge population growth, and our impressive economic growth. I won't recite the statistics because you all know them too well. But I do just want to say that during that time period, it's been my privilege to play a small part in that. And I also want to acknowledge the leadership during this period of time of

Governor Perry, Lieutenant Governor Dewhurst, Speakers Craddick and Straus. If you think about it, it's been a remarkably few number of people in leadership during this time of extraordinary growth. And I know that's much to the chagrin of those who feel politically upward, upwardly mobile. But one wonders what the next 10 years will bring. Time will only tell, but I predict that our state will continue to lead the nation in job growth and economic vitality. Incidentally, I do want to take a moment to honor the men and women who have made the ultimate sacrifice for our nation, on this Memorial Day. They are the true reason we have the safety and the security to prosper. But I do want to briefly share my thoughts on a couple of public policy matters that I feel are vitally important to our future. First, we all know that we have made some great strides on water issues this session. And I will promise you I will do my best in the months ahead to convince voters to approve the constitutional amendment that will be on the ballot to draw some of the money from the state's rainy day fund to build out our water infrastructure. But being mindful of the old Chinese proverb, the journey of a thousand miles begins with the first step, let us firmly commit to building one new reservoir in this state. Just one to start out with within the next five years. Now, which one will it be? That's really a hard question. It's not easy, but let me try to offer a suggestion. This new reservoir should be the one that, first, is the most politically feasible, that in turn has the largest amount of water storage in recharge rate, and, preferably, it should be uphill from the greatest number of people, for the obvious reasons. So, I say, let's figure it out, and let's generate the political will to do it. Secondly, I was disappointed that we were not able to pass SJR 1 as it came out of the Senate this session. We all know a vote of 31 to nothing is a very strong indication of our seriousness on these three issues. So, in the future, let's find the best way to fund our transportation needs. And there's already some interesting ideas to, one or two ideas out there, already percolating. Folks, it doesn't have to be that hard. Our vibrant state will not continue to thrive without this critical investment in our transportation infrastructure. So, in conclusion, I do thank you for the incredible honor of being your President Pro Tempore. I will fulfill the duties of this high office to the best of my ability. What a great country we live in, the United States of America. What a great state we live in, Texas. What great shoulders we are standing upon, Travis, Crockett, Bowie, Houston, Whitmire, Lamar. Wait a minute. Who put that in my speech? It is my privilege to serve her people, Texas, one state, under God, one and indivisible. I want to thank you all. That's about all I have to say. See you tomorrow. God bless Texas.

**VIDEO RELEASE POLICY WAIVED
(Motion In Writing)**

Senator Eltife submitted the following Motion In Writing:

Mr. President:

I move that the policy governing the release of videotapes of Senate proceedings be waived in order to allow Senator Estes to have a videotape of today's session.

ELTIFE

The Motion In Writing prevailed without objection.

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **SB 163, HB 97.**

SENATE RULE 7.25 SUSPENDED (Limitation on Vote)

Senator Seliger moved to suspend Senate Rule 7.25 that prohibits a vote on a bill during the last 24 hours of a session in order to consider the Conference Committee Report on **HB 29.**

The motion prevailed by the following vote: Yeas 31, Nays 0.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 29 ADOPTED

Senator Seliger called from the President's table the Conference Committee Report on **HB 29.** The Conference Committee Report was filed with the Senate on Saturday, May 25, 2013.

On motion of Senator Seliger, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 11:51 a.m. recessed until 1:30 p.m. today.

AFTER RECESS

The Senate met at 1:50 p.m. and was called to order by Senator Eltife.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 1

(Revised Message)

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 198

Farney

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Second Lieutenant Darryn Deen Andrews.

HCR 212

Frullo

Instructing the enrolling clerk of the house to make corrections in H.B. 2268.

HCR 215 Naishtat
Instructing the enrolling clerk of the house to make corrections in H.B. No. 1741.

HCR 217 Gooden
Instructing the enrolling clerk of the house to make corrections to H.B. No. 912.

HCR 218 Flynn
Instructing the enrolling clerk of the house to make corrections in H.B. No. 12.

SCR 38 Rodríguez
Instructing the enrolling clerk of the house to make corrections in H.B. No. 2975.

SCR 39 Zaffirini
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1116.

SCR 43 Williams
Instructing the enrolling clerk of the senate to make corrections in S.J.R. No. 1.

SCR 44 Hinojosa
Instructing the enrolling clerk of the senate to make corrections to S.B. No. 8.

SCR 46 Hinojosa Sponsor: Muñoz, Jr.
Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for their collaborative efforts to develop the Regional Center for Public Safety Excellence.

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 500 (131 Yeas, 14 Nays, 1 Present, not voting)

HB 680 (146 Yeas, 1 Nays, 2 Present, not voting)

HB 1675 (145 Yeas, 0 Nays, 2 Present, not voting)

HB 2741 (135 Yeas, 9 Nays, 3 Present, not voting)

HB 2836 (142 Yeas, 0 Nays, 2 Present, not voting)

HB 3169 (143 Yeas, 0 Nays, 2 Present, not voting)

HB 3390 (138 Yeas, 6 Nays, 2 Present, not voting)

SB 211 (144 Yeas, 0 Nays, 3 Present, not voting)

SB 1017 (145 Yeas, 0 Nays, 2 Present, not voting)

SB 1158 (146 Yeas, 1 Nays, 2 Present, not voting)

SB 1747 (133 Yeas, 10 Nays, 2 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**MOTION TO ADOPT
SENATE CONCURRENT RESOLUTION 47**

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 2 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to correct Senate Bill No. 2 as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.088 to read as follows:

Sec. 33.088. PARTICIPATION IN LEAGUE CONTESTS BY SPECIALTY HIGH SCHOOL. (a) In this section:

(1) "Division" includes academics, athletics, or music divisions of league contests.

(2) "Specialty high school" means the high school of an open-enrollment charter school that:

(A) enrolls students without regard to the attendance zones of the school district in which the high school is located; and

(B) is determined by the University Interscholastic League to specialize in a division of league contests.

(3) "League" means the University Interscholastic League.

(b) To ensure fair competition, the league shall adopt rules governing participation in league contests by students attending a specialty high school.

(c) The league rules adopted under Subsection (b) must require that, for any division of league contests that a specialty high school emphasizes, the school will be assigned to the conference with the largest student enrollment, except that the rules may provide for reasonable exceptions from that requirement based on travel, availability of participant schools, or other criteria.

(d) League rules adopted under Subsection (b) must apply beginning with the 2013-2014 school year. This subsection expires August 31, 2014.

(2) Strike SECTION 48 of the bill (page 46, lines 16-23), repealing provisions of the Education Code, and substitute the following appropriately numbered SECTION:

SECTION _____. The following provisions of the Education Code are repealed:

- (1) Subsection (b), Section 12.1055;
- (2) Subsection (b), Section 12.113; and
- (3) Subsection (b), Section 12.1161.

PATRICK

SCR 47 was read.

Senator Patrick withdrew further consideration of **SCR 47**.

SENATE CONCURRENT RESOLUTION 48

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1678 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following correction:

Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 5A(a)(5), Chapter 1507 (S.B. 456), Acts of the 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's Texas Civil Statutes), is amended to read as follows:

(5) "Site selection organization" means:

(A) the National Football League, the National Collegiate Athletic Association, the National Basketball Association, ESPN or an affiliate, the National Hockey League, Major League Baseball, the Federation Internationale de Football Association (FIFA), the International World Games Association, the National Association for Stock Car Auto Racing (NASCAR), or the United States Olympic Committee;

(B) the national governing body of a sport that is recognized by the United States Olympic Committee, the National Thoroughbred Racing Association, Formula One Management Limited, or the Federation Internationale de l'Automobile;

(C) the Academy of Country Music;

(D) the National Cutting Horse Association; or

(E) the Republican National Committee or the Democratic National Committee.

DEUELL

SCR 48 was read.

On motion of Senator Deuell, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 21, SB 44, SB 59, SB 64, SB 66, SB 107, SB 126, SB 146, SB 148, SB 149, SB 176, SB 200, SB 227, SB 268, SB 320, SB 321, SB 345, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 1214, SB 1216, SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356, SB 1365, SB 1368, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419, SB 1430, SB 1512, SB 1525, SB 1536, SB 1546, SB 1599, SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1702, SB 1720, SB 1729, SB 1730.

HOUSE CONCURRENT RESOLUTION 212

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 2268 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 2268, in the SECTION of the bill added by Senate Amendment No. 1 by Carona, in amended Subsection (b), Section 4, Article 18.21, Code of Criminal Procedure, by striking "only the following electronic customer data: (i) information revealing the identity of customers of the applicable service; (ii) information about a customer's use of the applicable service;" and substituting the following: only electronic customer data that is information revealing the identity of customers of the applicable service or information about a customer's use of the applicable service,

WATSON

HCR 212 was read.

On motion of Senator Watson, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 646, SB 652, SB 656, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872, SB 894, SB 918, SB 950, SB 971, SB 993, SB 997, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1150, SB 1159, SB 1192, SB 1210, HB 232, HB 315, HB 431, HB 585, HB 866, HB 894, HB 1050, HB 1090, HB 1193, HB 1206, HB 1357, HB 1366, HB 1372, HB 1678, HB 1726, HB 1790, HB 1803, HB 1847, HB 2000, HB 2080, HB 2388, HB 2550, HB 2562, HB 2612, HB 2825, HB 2859, HB 2912, HB 2978, HB 3103, HB 3188 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **HB 3357, HB 3433, HB 3511, HB 3556.**

HOUSE CONCURRENT RESOLUTION 215

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 1741 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 1741 by striking SECTION 2 of the bill and renumbering subsequent SECTIONS of the bill as appropriate.

WEST

HCR 215 was read.

On motion of Senator West, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 218

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 12 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 12 (conference committee report) as follows:

(1) On page 2, line 10, between "agency" and "is" insert "for the purpose of a salary supplement".

(2) On page 2, line 27, strike "to identify" and substitute "to identify".

ZAFFIRINI

HCR 218 was read.

On motion of Senator Zaffirini, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTION 1061

Senator West offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to pay tribute to a beloved and highly regarded longtime staff member, Myrtis Evans Griffin, who is retiring after 20 years of loyal service in the office of Senator Royce West; and

WHEREAS, Myrtis Griffin joined the staff of Senator West on January 12, 1993, and she is now retiring from her position as the lead constituent caseworker in his office; in that capacity, Mrs. Griffin has long held a reputation for carrying out her duties in a flawless manner and for always demonstrating an eagerness to help constituents in whatever way possible; and

WHEREAS, She has also been noted for her cheerful disposition, her warmth, and her graciousness and for managing her responsibilities with enthusiasm and professionalism; and

WHEREAS, As the lead constituent caseworker, she has played a major role in helping to meet the needs and addressing the concerns of the people of District 23; her valuable assistance has included answering the many questions that came her way regarding governmental processes and such programs and initiatives as social security, Medicare, and Medicaid; and

WHEREAS, Prior to joining the Senate staff, Mrs. Griffin worked for Dallas County Judge Gary Weber, Congressman Martin Frost, and Representative Jerald Larry, and over the course of her lengthy career in public service, she has had an impact on numerous matters of social import; her service has involved work related to nursing home family councils, mental health programs, child support and senior citizens issues, and a variety of other social concerns and initiatives; and

WHEREAS, Active for many years in community affairs, Mrs. Griffin has served as a precinct chair and an election judge and has attended many county, state, and national conventions; she is an honorary life member of the Texas Parent-Teacher

Association and a member of the Dallas Chapter of the Coalition of Black Democrats; she is devoted to her family and has been blessed with three children and several grandchildren and great-grandchildren, and she looks forward to spending more time with them upon her retirement; and

WHEREAS, An exemplary Senate employee, Mrs. Griffin has been an invaluable team member in the office of Senator West, where her high standards and commitment to excellence have long been appreciated; she is beloved and respected by her co-workers and legislative colleagues, and her presence in the Texas Capitol will be greatly missed; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend Myrtis Evans Griffin on her exceptional career and on her loyal service as an employee in the office of Senator Royce West and extend to her best wishes for the retirement years ahead; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of esteem from the Texas Senate.

SR 1061 was read and was adopted without objection.

GUEST PRESENTED

Senator West was recognized and introduced to the Senate Myrtis Evans Griffin, his longtime staff member.

The Senate welcomed its guest.

SENATE CONCURRENT RESOLUTION 49

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 2 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to correct Senate Bill No. 2 as follows:

Strike SECTION 48 of the bill (page 46, lines 16-23), repealing provisions of the Education Code, and substitute the following appropriately numbered SECTION:

SECTION _____. The following provisions of the Education Code are repealed:

- (1) Subsection (b), Section 12.1055;
- (2) Subsection (b), Section 12.113; and
- (3) Subsection (b), Section 12.1161.

PATRICK

SCR 49 was read.

On motion of Senator Patrick, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 2

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- HCR 211** Miller, Doug
Instructing the enrolling clerk of the house to make corrections in H.B. No. 3941.
- HCR 221** Hilderbran
Instructing the enrolling clerk of the house to make corrections in H.B. No. 500.
- SCR 40** Seliger
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 347.
- SCR 41** Deuell
Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1727.
- SCR 45** Uresti
Instructing the enrolling clerk of the senate to make corrections to S.B. No. 1747.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE CONCURRENT RESOLUTION 217

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, House Bill No. 912 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 912, in SECTION 2 of the bill, as follows:

(1) In added Section 423.002(a), Government Code, strike "It is lawful to capture an image by an unmanned aircraft" and substitute "It is lawful to capture an image using an unmanned aircraft".

(2) In added Section 423.002(a)(4), Government Code, between "(4)" and "by", insert "if the image is captured".

(3) In added Section 423.002(a)(5), Government Code, between "(5)" and "by", insert "if the image is captured".

(4) In added Section 423.002(a)(8), Government Code, between "(8)" and "by", insert "if the image is captured".

(5) In added Section 423.002(a)(9), Government Code, between "(9)" and "by", insert "if the image is captured".

(6) In added Section 423.002(a)(13), Government Code, between "(13)" and "by", insert "if the image is captured".

(7) In added Section 423.002(a)(17), Government Code, between "(17)" and "by", insert "if the image is captured".

(8) In added Section 423.002(a)(17), Government Code, immediately following "related facilities,", strike "if the image" and substitute "and".

(9) In added Section 423.002(a)(18), Government Code, following the underlined semicolon, insert "or".

(10) In added Section 423.002(a)(19), Government Code, strike the underlined semicolon and substitute an underlined period.

(11) Strike added Section 423.008, Government Code, and substitute the following:

Sec. 423.008. REPORTING BY LAW ENFORCEMENT AGENCY. (a) Not earlier than January 1 and not later than January 15 of each odd-numbered year, each state law enforcement agency and each county or municipal law enforcement agency located in a county or municipality, as applicable, with a population greater than 150,000, that used or operated an unmanned aircraft during the preceding 24 months shall issue a written report to the governor, the lieutenant governor, and each member of the legislature and shall:

(1) retain the report for public viewing; and

(2) post the report on the law enforcement agency's publicly accessible website, if one exists.

(b) The report must include:

(1) the number of times an unmanned aircraft was used, organized by date, time, location, and the types of incidents and types of justification for the use;

(2) the number of criminal investigations aided by the use of an unmanned aircraft and a description of how the unmanned aircraft aided each investigation;

(3) the number of times an unmanned aircraft was used for a law enforcement operation other than a criminal investigation, the dates and locations of those operations, and a description of how the unmanned aircraft aided each operation;

(4) the type of information collected on an individual, residence, property, or area that was not the subject of a law enforcement operation and the frequency of the collection of this information; and

(5) the total cost of acquiring, maintaining, repairing, and operating or otherwise using each unmanned aircraft for the preceding 24 months.

ESTES

HCR 217 was read.

On motion of Senator Estes, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

(President in Chair)**SENATE RESOLUTION 1094**

Senator Eltife offered the following resolution:

WHEREAS, It is with great pride that the Texas Senate honors one of its most loyal and respected staff members, Linda Tubbs, by naming her the 2013 administrative recipient of the Betty King Public Service Award; and

WHEREAS, During her long and productive tenure as a legislative employee and as an officer of the Texas Senate, Linda has exemplified the best in Senate service, and she has earned the enduring admiration and affection of the senators and her Capitol colleagues; and

WHEREAS, Linda began her Senate employment in 1993 when she became an administrative aide for Senator Florence Shapiro; she joined the Senate Calendar Clerk's office in 1994 as a bill clerk, became Assistant Calendar Clerk in 1996, and was elected to the position of Calendar Clerk in 2005; and

WHEREAS, As Calendar Clerk, Linda has been the custodian of all legislative documents awaiting action in the Senate, and she has been in charge of the accurate endorsement of all legislation that passes through the Senate in the course of the legislative process; she has also been responsible for preparing the Notice of Intent Calendar and the Senate Agenda for each legislative day; and

WHEREAS, A trusted employee who is known for her high standards and attention to detail, she has deftly handled the many responsibilities of her position, and she has a long-established reputation for carrying out her duties with dedication and proficiency; and

WHEREAS, Throughout her tenure, Linda has demonstrated remarkable composure and perseverance while facing long hours and demanding deadlines; she has distinguished herself as an effective team leader who is known for her convivial personality, as well as for her many organizational and professional strengths; and

WHEREAS, Linda is a much-cherished and highly regarded Senate staff member, and she is most deserving of her selection for the prestigious Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby express appreciation to Linda Tubbs for her valuable contributions to the Texas Senate and extend congratulations to her on earning a 2013 Betty King Public Service Award; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a tribute to Linda Tubbs.

SR 1094 was read and was adopted by a rising vote of the Senate.

GUEST PRESENTED

Senator Eltife was recognized and introduced to the Senate Linda Tubbs, Senate Calendar Clerk and 2013 administrative recipient of the Betty King Public Service Award.

The Senate welcomed its guest.

SENATE RESOLUTION 1095

Senator Eltife offered the following resolution:

WHEREAS, It is a pleasure for the Texas Senate to honor a respected and longtime staff member, Lara Wendler, by naming her the 2013 legislative recipient of the Betty King Public Service Award; and

WHEREAS, The chief of staff for Senator John Whitmire, Lara is noted for handling her wide-ranging responsibilities with the utmost professionalism; she is highly regarded by the legislators and the many Capitol staff members with whom she works, and she is an indispensable member of the senator's staff; and

WHEREAS, Lara joined the Senate in 1992 as a legislative assistant for Senator Steve Carriker and went on to serve for five years in the office of Senator Gonzalo Barrientos; she transferred to Redistricting as a policy analyst in 2000, and later that same year, she began working as a policy analyst for Senator Whitmire; and

WHEREAS, She became Senator Whitmire's chief of staff in 2005, and due to her superior organizational skills and her thorough understanding of policy issues and the legislative process, she has become an invaluable asset to the senator's office; and

WHEREAS, Lara is noted for the dedication with which she approaches her work and the enthusiasm with which she faces challenging tasks, no matter how daunting they may be; she is a team leader whose ability to maintain composure in any given situation is inspiring to all who know and work with her; and

WHEREAS, Lara Wendler is a role model for anyone in public service, and through her high standards and commitment to excellence, she exemplifies the legislature's finest traditions; she is an exceptional Senate employee who is respected for her unparalleled work ethic, and the Texas Senate takes pride in honoring her with a 2013 Betty King Public Service Award; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend Lara Wendler for her outstanding service to the Texas Senate and extend to her congratulations on earning a 2013 Betty King Public Service Award; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of esteem from the Texas Senate.

SR 1095 was read and was adopted by a rising vote of the Senate.

GUEST PRESENTED

Senator Eltife was recognized and introduced to the Senate Lara Wendler, Chief of Staff for Senator John Whitmire and 2013 legislative recipient of the Betty King Public Service Award.

The Senate welcomed its guest.

HOUSE CONCURRENT RESOLUTION 221

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 500 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains a technical error that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 500, in SECTION 2 of the bill, by striking added Section 171.0023(d), Tax Code, and substituting the following:

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2014, that probable revenue for the state fiscal biennium ending August 31, 2015, is estimated to exceed probable revenue as stated in the comptroller's Biennial Revenue Estimate for the 2014-2015 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 83rd Legislature, including any contingent appropriations certified before September 1, 2014, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b). If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

HEGAR

HCR 221 was read.

On motion of Senator Hegar, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

HOUSE CONCURRENT RESOLUTION 211

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3941 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED, by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct the enrolled version of House Bill No. 3941 as follows:

- (1) On page 29, line 19, strike "East" and substitute "West".
- (2) On page 29, line 22, strike "East" and substitute "West".

CAMPBELL

HCR 211 was read.

On motion of Senator Campbell, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 2:48 p.m. recessed until 3:00 p.m. today.

AFTER RECESS

The Senate met at 3:38 p.m. and was called to order by Senator Eltife.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 3

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:**HCR 222** Patrick, Diane

Instructing the enrolling clerk of the senate to make corrections in S.B. No. 1159.

SCR 42 Patrick

Instructing the enrolling clerk of the senate to make corrections to S.B. No. 217.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BILLS SIGNED

The Presiding Officer announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 58, SB 213, SB 270, SB 281, SB 358, SB 359, SB 460, SB 484, SB 690, SB 901, SB 910, SB 949, SB 1003, SB 1173, SB 1373, SB 1458, SB 1681, SB 1773, SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1907, SB 1908, SB 1910, SB 1914, SB 1916, SB 1921, HB 6, HB 7 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **HB 194, HB 396, HB 429, HB 489, HB 586, HB 630, HB 680, HB 752, HB 773, HB 870, HB 1534, HB 1675, HB 1768, HB 1897, HB 1926, HB 1951, HB 2012, HB 2152, HB 2305, HB 2741, HB 2818, HB 2935, HB 2982, HB 3093, HB 3106, HB 3142, HB 3153, HB 3169, HB 3361, HB 3390, HB 3447, HB 3459, HB 3520, HB 3569, HB 3572, HB 3648, HB 3903.**

HOUSE CONCURRENT RESOLUTION 222

The Presiding Officer laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1159 has been adopted by the senate and the house of representatives and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the senate be instructed to make the following correction:

Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act shall be known as Andrew's Law.

VAN DE PUTTTE

HCR 222 was read.

On motion of Senator Van de Putte, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 4

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 219 Muñoz, Jr.

Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for collaborative efforts to develop the Regional Center for Public Safety Excellence.

HCR 223 Coleman

Instructing the enrolling clerk of the house to make corrections in H.B. No. 3793.

SCR 49 Patrick

Instructing the enrolling clerk of the senate to make corrections to S.B. No. 2.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(President in Chair)

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **HB 1025** (signed subject to Sec. 49-a, Art. III, Texas Constitution).

HOUSE CONCURRENT RESOLUTION 223

The President laid before the Senate the following resolution:

WHEREAS, House Bill No. 3793 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 3793, in the SECTION of the bill that adds Section 533.051, Health and Safety Code, by inserting a new Subdivision (8) to Section 533.051(c) to read as follows and renumbering subdivisions accordingly:

(8) two representatives designated by the Texas Hospital Association, including one representative who is a physician;

HINOJOSA

HCR 223 was read.

On motion of Senator Hinojosa, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTIONS

Senator Zaffirini offered the following resolution:

SR 1097, In memory of Rex Neal Van de Putte.

ZAFFIRINI
WHITMIRE

The resolution was read.

Senator Nelson offered the following resolution:

SR 1098, In memory of Remarcus Larry West.

NELSON
WHITMIRE

The resolution was read.

Senator Eltife offered the following resolution:

SR 1099, In memory of Gregory Steven Spaw.

ELTIFE
WHITMIRE

The resolution was read.

On motion of Senator Whitmire and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolutions as signers thereof.

On motion of Senator Whitmire, **SR 1097**, **SR 1098**, and **SR 1099** were adopted by a rising vote of the Senate.

In honor of the memory of Rex Neal Van de Putte, Remarcus Larry West, and Gregory Steven Spaw, the resolutions are printed at the end of today's *Senate Journal*.

AT EASE

The President at 4:49 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 5:04 p.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 27, 2013 - 5

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 224 Aycocock

Instructing the enrolling clerk of the house of representatives to make corrections in H.B. No. 5.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 1 (signed subject to Sec. 49-a, Art. III, Texas Constitution), **SB 7**, **SB 215**, **SB 219**, **SB 347**, **SB 1596**, **SJR 1**, **SB 2**, **SB 8**, **SB 211**, **SB 217**, **SB 1017**, **SB 1116**, **SB 1158**, **SB 1678**, **SB 1727**, **SB 1747**, **SCR 38**, **SCR 39**, **SCR 40**, **SCR 41**, **SCR 42**, **SCR 43**, **SCR 44**, **SCR 45**, **SCR 46**, **SCR 49**.

HOUSE CONCURRENT RESOLUTION 224

The President laid before the Senate the following resolution:

House Bill No. 5 has been adopted by the house of representatives and the senate and is being prepared for enrollment; and

WHEREAS, The bill contains technical errors that should be corrected; now, therefore, be it

RESOLVED by the 83rd Legislature of the State of Texas, That the enrolling clerk of the house of representatives be instructed to correct House Bill No. 5 as follows:

(1) In SECTION 16 of the bill, in amended Section 28.025(c-3), Education Code, strike "(c-2)(1)(B)" and substitute "(c-2)(1)(B)(ii)".

(2) In SECTION 77 of the bill, strike added Section 130.008(f) and substitute the following:

(f) Except as provided by this section, a student may not enroll in more than three courses under this section at a junior college if the junior college does not have a service area that includes the student's high school. A student enrolled at an early college high school may enroll in a greater number of courses to the extent approved by the commissioner of education.

PATRICK

HCR 224 was read.

On motion of Senator Patrick, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

HB 5, HB 12, HB 29, HB 500, HB 912, HB 1741, HB 2268, HB 2836, HB 2975, HB 3509, HB 3605, HB 3793, HCR 198, HCR 212, HCR 215, HCR 217, HCR 218, HCR 219, HCR 221, HCR 222, HCR 223, HCR 224.

SPECIAL COMMITTEE APPOINTED

The President announced the appointment of the following committee:

REDISTRICTING, SELECT

Seliger, Chair; Uresti, Vice-chair; Carona, Duncan, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Lucio, Patrick, West, Williams, Zaffirini.

MOTION TO ADJOURN SINE DIE

On motion of Senator Whitmire, the Senate of the 83rd Legislature, Regular Session, at 5:17 p.m. agreed to adjourn sine die, in memory of Rex Neal Van de Putte, Remarcus Larry West, Gregory Steven Spaw, and the men and women who have served in the U.S. Armed Forces and given the ultimate sacrifice, pending the completion of administrative duties and the receipt of Messages from the House.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 219

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-sponsor of **HCR 219**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 1101 by Paxton, In memory of Elizabeth Ojerholm Roberts.

Congratulatory Resolutions

SR 1100 by Hinojosa and Lucio, Recognizing Guadalupe Treviño for his public service.

HCR 219 (Lucio), Commending the City of Pharr, South Texas College, the Pharr Police Department, and the Pharr-San Juan-Alamo Independent School District for collaborative efforts to develop the Regional Center for Public Safety Excellence.

Official Designation Resolution

SR 378 by West, Recognizing March 6, 2013, as Cedar Hill Day.

Legislative Policy Resolution

HCR 198 (Schwertner), Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Second Lieutenant Darryn Deen Andrews.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the Regular Session of the 83rd Legislature had arrived and, in accordance with a previously adopted motion, declared the Regular Session of the 83rd Legislature adjourned sine die at 5:18 p.m., in memory of Rex Neal Van de Putte, Remarcus Larry West, Gregory Steven Spaw, and the men and women who have served in the U.S. Armed Forces and given the ultimate sacrifice.

APPENDIX

BILLS AND RESOLUTIONS ENROLLEDMay 26, 2013

SB 21, SB 44, SB 58, SB 64, SB 107, SB 126, SB 149, SB 163, SB 176, SB 200, SB 227, SB 268, SB 270, SB 320, SB 321, SB 345, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 646, SB 652, SB 656, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872, SB 894, SB 918, SB 950, SB 971, SB 993, SB 997, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1150, SB 1192, SB 1210, SB 1214, SB 1216, SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356, SB 1365, SB 1368, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419, SB 1430, SB 1512, SB 1525, SB 1536, SB 1546, SB 1599, SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1702, SB 1720, SB 1729, SB 1730, SB 1773, SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1908, SB 1910, SB 1914, SB 1916, SB 1921, SR 1063, SR 1066, SR 1068, SR 1073, SR 1074, SR 1075, SR 1076, SR 1077, SR 1078, SR 1079, SR 1080, SR 1081, SR 1082, SR 1083, SR 1084, SR 1085, SR 1086, SR 1087, SR 1088, SR 1089, SR 1090, SR 1091, SR 1092, SR 1093

May 27, 2013

SB 1, SB 2, SB 7, SB 8, SB 211, SB 213, SB 215, SB 217, SB 219, SB 281, SB 347, SB 358, SB 359, SB 460, SB 484, SB 690, SB 901, SB 910, SB 949, SB 1003, SB 1017, SB 1116, SB 1158, SB 1159, SB 1173, SB 1373, SB 1458, SB 1596, SB 1678, SB 1681, SB 1727, SB 1747, SB 1907, SCR 38, SCR 39, SCR 40, SCR 41, SCR 42, SCR 43, SCR 44, SCR 45, SCR 46, SCR 49, SJR 1, SR 378,

SR 1061, SR 1094, SR 1095, SR 1096, SR 1097, SR 1098, SR 1099, SR 1100, SR 1101

SENT TO GOVERNOR

May 27, 2013

SB 39, SB 67, SB 124, SB 163, SB 168, SB 221, SB 251, SB 306, SB 316, SB 393, SB 404, SB 443, SB 453, SB 475, SB 482, SB 490, SB 497, SB 498, SB 512, SB 519, SB 555, SB 585, SB 597, SB 615, SB 624, SB 637, SB 659, SB 662, SB 680, SB 718, SB 722, SB 724, SB 725, SB 751, SB 752, SB 757, SB 763, SB 778, SB 809, SB 831, SB 832, SB 837, SB 854, SB 869, SB 906, SB 1009, SB 1029, SB 1040, SB 1074, SB 1080, SB 1083, SB 1086, SB 1098, SB 1100, SB 1145, SB 1175, SB 1195, SB 1255, SB 1256, SB 1266, SB 1268, SB 1297, SB 1313, SB 1322, SB 1376, SB 1393, SB 1394, SB 1400, SB 1404, SB 1413, SB 1457, SB 1508, SB 1533, SB 1553, SB 1557, SB 1585, SB 1590, SB 1597, SB 1604, SB 1609, SB 1635, SB 1658, SB 1771, SB 1806, SB 1810, SB 1827, SB 1833, SB 1842, SB 1863, SB 1867, SB 1873, SB 1879, SB 1891, SB 1899, SB 1913, SB 1917, SCR 27

SIGNED BY GOVERNOR

May 27, 2013

SB 163

SENT TO COMPTROLLER

May 28, 2013

SB 1

SENT TO GOVERNOR

May 28, 2013

SB 2, SB 7, SB 8, SB 21, SB 44, SB 58, SB 59, SB 64, SB 66, SB 107, SB 126, SB 146, SB 148, SB 149, SB 176, SB 200, SB 211, SB 213, SB 215, SB 217, SB 219, SB 227, SB 268, SB 270, SB 281, SB 320, SB 321, SB 345, SB 347, SB 358, SB 359, SB 392, SB 396, SB 414, SB 421, SB 429, SB 454, SB 460, SB 484, SB 492, SB 511, SB 534, SB 549, SB 578, SB 644, SB 646, SB 652, SB 656, SB 690, SB 692, SB 700, SB 709, SB 745, SB 839, SB 841, SB 872, SB 894, SB 901, SB 910, SB 918, SB 949, SB 950, SB 971, SB 993, SB 997, SB 1003, SB 1017, SB 1023, SB 1031, SB 1058, SB 1090, SB 1106, SB 1116, SB 1150, SB 1158, SB 1159, SB 1173, SB 1192, SB 1210, SB 1214, SB 1216, SB 1226, SB 1234, SB 1265, SB 1285, SB 1289, SB 1292, SB 1317, SB 1356, SB 1365, SB 1368, SB 1373, SB 1388, SB 1390, SB 1398, SB 1411, SB 1419, SB 1430, SB 1458, SB 1512, SB 1525, SB 1536, SB 1546, SB 1596, SB 1599, SB 1601, SB 1606, SB 1610, SB 1620, SB 1623, SB 1630, SB 1643, SB 1678, SB 1681, SB 1702, SB 1720, SB 1727, SB 1729, SB 1730, SB 1747, SB 1773, SB 1795, SB 1853, SB 1871, SB 1877, SB 1906, SB 1907, SB 1908, SB 1910, SB 1914, SB 1916, SB 1921, SCR 38, SCR 39, SCR 40, SCR 41, SCR 42, SCR 43, SCR 44, SCR 45, SCR 46, SCR 49

SIGNED BY GOVERNORMay 28, 2013**SB 259**May 29, 2013**SB 247****SENT TO SECRETARY OF STATE**May 30, 2013**SJR 1****SENT TO GOVERNOR**June 5, 2013**SB 1****SIGNED BY GOVERNOR**June 10, 2013**SB 441**June 14, 2013

SB 1 (line item veto), SB 2, SB 7, SB 8, SB 12, SB 21, SB 24, SB 31, SB 34, SB 39, SB 44, SB 45, SB 49, SB 50, SB 58, SB 59, SB 62, SB 63, SB 64, SB 66, SB 67, SB 107, SB 109, SB 111, SB 112, SB 119, SB 122, SB 123, SB 124, SB 126, SB 127, SB 128, SB 129, SB 130, SB 131, SB 138, SB 141, SB 146, SB 147, SB 148, SB 149, SB 152, SB 164, SB 165, SB 168, SB 171, SB 172, SB 176, SB 183, SB 193, SB 194, SB 198, SB 200, SB 201, SB 204, SB 209, SB 211, SB 213, SB 215, SB 217, SB 220, SB 221, SB 222, SB 232, SB 242, SB 246, SB 251, SB 260, SB 268, SB 270, SB 273, SB 279, SB 281, SB 284, SB 286, SB 289, SB 306, SB 316, SB 320, SB 321, SB 322, SB 323, SB 324, SB 328, SB 344, SB 345, SB 347, SB 351, SB 355, SB 356, SB 357, SB 358, SB 359, SB 362, SB 369, SB 377, SB 381, SB 382, SB 383, SB 385, SB 389, SB 390, SB 391, SB 392, SB 393, SB 394, SB 395, SB 396, SB 404, SB 406, SB 409, SB 414, SB 421, SB 423, SB 426, SB 427, SB 428, SB 430, SB 435, SB 443, SB 453, SB 454, SB 460, SB 462, SB 464, SB 474, SB 475, SB 479, SB 482, SB 484, SB 485, SB 490, SB 492, SB 495, SB 497, SB 498, SB 499, SB 502, SB 503, SB 511, SB 512, SB 514, SB 515, SB 516, SB 517, SB 518, SB 519, SB 529, SB 531, SB 533, SB 534, SB 540, SB 542, SB 545, SB 546, SB 549, SB 551, SB 552, SB 553, SB 555, SB 559, SB 562, SB 563, SB 564, SB 566, SB 569, SB 578, SB 581, SB 583, SB 585, SB 597, SB 603, SB 604, SB 605, SB 606, SB 607, SB 608, SB 609, SB 615, SB 623, SB 624, SB 628, SB 630, SB 631, SB 632, SB 634, SB 637, SB 639, SB 644, SB 646, SB 652, SB 656, SB 658, SB 659, SB 660, SB 662, SB 673, SB 677, SB 679, SB 680, SB 690, SB 692, SB 697, SB 699, SB 700, SB 701, SB 702, SB 703, SB 704, SB 705, SB 706, SB 709, SB 715, SB 717, SB 718, SB 724, SB 725, SB 734, SB 736, SB 742, SB 745, SB 746, SB 747, SB 751, SB 752, SB 757, SB 758, SB 763, SB 769, SB 771, SB 772, SB 778, SB 793, SB 801, SB 804, SB 809, SB 816,

SB 817, SB 818, SB 819, SB 825, SB 828, SB 831, SB 832, SB 833, SB 836,
SB 837, SB 839, SB 841, SB 845, SB 848, SB 853, SB 854, SB 856, SB 863,
SB 869, SB 872, SB 874, SB 875, SB 877, SB 886, SB 890, SB 893, SB 894,
SB 895, SB 901, SB 904, SB 906, SB 910, SB 913, SB 914, SB 916, SB 918,
SB 939, SB 944, SB 946, SB 948, SB 949, SB 950, SB 951, SB 958, SB 967,
SB 971, SB 976, SB 978, SB 981, SB 983, SB 985, SB 987, SB 993, SB 997,
SB 1003, SB 1006, SB 1008, SB 1009, SB 1010, SB 1012, SB 1017, SB 1023,
SB 1029, SB 1031, SB 1033, SB 1035, SB 1040, SB 1044, SB 1053, SB 1057,
SB 1058, SB 1060, SB 1061, SB 1063, SB 1064, SB 1065, SB 1066, SB 1067,
SB 1068, SB 1069, SB 1071, SB 1072, SB 1073, SB 1074, SB 1075, SB 1080,
SB 1083, SB 1086, SB 1090, SB 1095, SB 1096, SB 1098, SB 1099, SB 1100,
SB 1106, SB 1114, SB 1116, SB 1120, SB 1125, SB 1134, SB 1142, SB 1150,
SB 1151, SB 1158, SB 1159, SB 1167, SB 1173, SB 1175, SB 1185, SB 1189,
SB 1192, SB 1195, SB 1200, SB 1210, SB 1214, SB 1216, SB 1221, SB 1224,
SB 1226, SB 1235, SB 1237, SB 1238, SB 1240, SB 1241, SB 1251, SB 1255,
SB 1256, SB 1265, SB 1266, SB 1268, SB 1282, SB 1285, SB 1289, SB 1292,
SB 1297, SB 1299, SB 1312, SB 1313, SB 1317, SB 1322, SB 1356, SB 1364,
SB 1365, SB 1367, SB 1368, SB 1372, SB 1373, SB 1376, SB 1386, SB 1388,
SB 1390, SB 1393, SB 1394, SB 1398, SB 1400, SB 1401, SB 1404, SB 1406,
SB 1411, SB 1413, SB 1415, SB 1419, SB 1422, SB 1423, SB 1425, SB 1430,
SB 1432, SB 1437, SB 1451, SB 1457, SB 1458, SB 1459, SB 1461, SB 1473,
SB 1474, SB 1475, SB 1476, SB 1479, SB 1480, SB 1481, SB 1484, SB 1487,
SB 1508, SB 1510, SB 1512, SB 1525, SB 1531, SB 1532, SB 1533, SB 1536,
SB 1541, SB 1542, SB 1546, SB 1548, SB 1553, SB 1556, SB 1557, SB 1567,
SB 1584, SB 1585, SB 1590, SB 1596, SB 1597, SB 1599, SB 1601, SB 1604,
SB 1609, SB 1610, SB 1620, SB 1623, SB 1630, SB 1635, SB 1643, SB 1658,
SB 1662, SB 1665, SB 1672, SB 1678, SB 1681, SB 1702, SB 1705, SB 1708,
SB 1719, SB 1720, SB 1727, SB 1729, SB 1730, SB 1747, SB 1756, SB 1757,
SB 1759, SB 1769, SB 1771, SB 1773, SB 1792, SB 1795, SB 1803, SB 1806,
SB 1812, SB 1820, SB 1821, SB 1822, SB 1823, SB 1824, SB 1827, SB 1828,
SB 1829, SB 1830, SB 1831, SB 1832, SB 1833, SB 1835, SB 1836, SB 1838,
SB 1840, SB 1841, SB 1842, SB 1843, SB 1845, SB 1846, SB 1847, SB 1852,
SB 1853, SB 1854, SB 1855, SB 1857, SB 1861, SB 1862, SB 1863, SB 1864,
SB 1868, SB 1869, SB 1870, SB 1871, SB 1872, SB 1873, SB 1876, SB 1877,
SB 1878, SB 1879, SB 1884, SB 1891, SB 1892, SB 1893, SB 1899, SB 1900,
SB 1901, SB 1902, SB 1903, SB 1906, SB 1907, SB 1908, SB 1910, SB 1913,
SB 1914, SB 1916, SB 1917, SB 1921, SCR 1, SCR 10, SCR 12, SCR 13, SCR 17,
SCR 18, SCR 20, SCR 26, SCR 27, SCR 30, SCR 36, SCR 38, SCR 39, SCR 40,
SCR 41, SCR 42, SCR 43, SCR 44, SCR 45, SCR 46, SCR 49

FILED WITHOUT SIGNATURE OF GOVERNOR

June 14, 2013

SB 329, SB 691, SB 1145, SB 1810, SB 1867

VETOED BY GOVERNOR

June 14, 2013

SB 1 (line item veto), **SB 15**, **SB 17**, **SB 219**, **SB 227**, **SB 429**, **SB 504**, **SB 722**, **SB 889**, **SB 1234**, **SB 1606**

VETO PROCLAMATIONS

The following Veto Proclamations by the Governor were filed in the Office of the Secretary of State:

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Senate Bill No. 1, having been duly certified by the Comptroller of Public Accounts pursuant to Article III, Section 49a of the Texas Constitution, has been presented to me for review and action. I hereby object to and disapprove the following items from Senate Bill No. 1, and include a statement of my objections to each of those items.

Article I – General GovernmentBond Review Board

3. Contingency for Legislation Related to a Local Annual Debt Report. ~~Contingent on enactment of legislation by the Eighty third Legislature, Regular Session, 2013, requiring the Bond Review Board to produce an annual Local Debt Report, included in the amounts appropriated above in Strategy B.1.1, Local Bond Debt, is \$125,573 from General Revenue and 1.5 full time equivalents each fiscal year of the 2014-15 biennium to implement the provisions of the legislation.~~

This veto deletes a contingent rider for a bill that did not pass.

Article II – Health And Human ServicesDepartment of Family and Protective Services

37. Contingency for House Bill 969. ~~Included in the amounts above, and contingent on passage of House Bill 969, or similar legislation relating to a student loan repayment assistance program for certain child protective services workers, by the 83rd Legislature, Regular Session, the Department of Family and Protective Services is appropriated \$500,000 in fiscal year 2014 in General Revenue Funds and \$500,000 in fiscal year 2015 in General Revenue Funds to transfer to the Higher Education Coordinating Board for implementing the provisions of the legislation.~~

This veto deletes a contingent rider for a bill that did not pass.

Article III – EducationTexas Education Agency

~~75. Contingency for SB 1718. Contingent on passage and enactment of Senate Bill 1718, or similar legislation relating to state interventions and sanctions against public school campuses with unacceptable performance and the establishment of the Texas Achievement School District for educating students at certain low performing campuses, by the Eighty third Legislature, Regular Session, 2013, the Texas Education Agency is hereby appropriated \$250,000 in General Revenue funds in each fiscal year to implement the provisions of the legislation. In addition, the "Number of Full Time Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 2 FTEs in each fiscal year.~~

This veto deletes a contingent rider for a bill that did not pass.

Higher Education Coordinating Board

~~C.1.3. Strategy: WATER AQUIFER RESEARCH \$1,500,000 \$1,500,000
Houston Area Research Council Water Aquifer Research.~~

~~60. Aquifer Research. Out of funds appropriated above in Strategy C.1.3, Water Aquifer Research, \$1,500,000 in general revenue for fiscal year 2014 and \$1,500,000 in general revenue for fiscal year 2015 shall be transferred to the Houston Area Research Council.~~

Legislation and appropriations passed by the Eighty-third Legislature, Regular Session, enhance the structure of the Texas Water Development Board and its programs, and provide funding to the agency for demonstration projects related to water reuse, aquifer storage and recovery, and other innovative water storage approaches. Now, as always, the Water Development Board is the appropriate entity to maintain centralized, long-term water planning for Texas, and the best place to devote taxpayer dollars used for this purpose. I therefore object to and disapprove of this appropriation.

Article IV – The Judiciary

Judiciary Section, Comptroller's Department

~~D.1.4 Strategy: PUBLIC INTEGRITY UNIT, \$3,742,829 \$3,830,597
TRAVIS CO & UB
Public Integrity Unit, 53rd Judicial District.~~

Despite the otherwise good work the Public Integrity Unit's employees, I cannot in good conscience support continued State funding for an office with statewide jurisdiction at a time when the person charged with ultimate responsibility of that unit has lost the public's confidence. This unit is in no other way held accountable to state taxpayers, except through the State budgetary process. I therefore object to and disapprove of this appropriation.

Article V – Public Safety And Criminal Justice

Department Of Criminal Justice

67. Contingency for SB___/HB___ : Windham School District Appropriations and Funding Oversight Transfer. ~~Contingent on enactment of SB___ or HB___, or similar legislation relating to the transfer of the Windham School District's (WSD) appropriations and funding oversight from the Texas Education Agency (TEA) to the Texas Department of Criminal Justice (TDCJ), by the Eighty-third Legislature, Regular Session:~~

- ~~a. reduce TEA's Foundation School Fund No. 193 General Revenue Funds by \$52,500,000 in fiscal year 2014 and \$50,500,000 in fiscal year 2015;~~
- ~~b. eliminate TEA's Strategy B.2.4, Windham School District;~~
- ~~e. move all WSD performance measures referenced in TEA's rider number 1 entitled "Performance Measures Targets" to TDCJ's rider number 1 entitled "Performance Measures Targets";~~
- ~~d. delete the following TEA riders:

 - ~~—"6. Windham Schools."~~
 - ~~—"55. Windham School District: Pilot Programs."~~~~
- ~~e. add a funding strategy entitled "C.2.6, Windham School District" within TDCJ's Goal C, Incarcerate Felons;~~
- ~~f. appropriate Foundation School Fund No. 193 General Revenue Funds to TDCJ in Strategy C.2.6, Windham School District in the amounts of \$52,500,000 in fiscal year 2014 and \$50,500,000 in fiscal year 2015;~~
- ~~g. delete the following rider from TDCJ's bill pattern:

 - ~~—"29. Expenditure Limitation Windham School District."~~~~
- ~~h. add the following new rider to TDCJ's bill pattern:~~

~~___ **Windham School District.** The use of appropriated funds to the Texas Department of Criminal Justice (TDCJ) for the Windham School District (WSD) shall be governed by the specific limitations included in this rider.~~

- ~~a. None of the funds provided to WSD through TDCJ shall be expended unless the Texas Board of Criminal Justice has approved an annual operating budget for WSD prior to the expenditure of any funds. The TDCJ shall file a copy of the WSD's operating budget with the Governor, the Legislative Budget Board, and the appropriate legislative oversight committees at the beginning of each fiscal year.~~

- b. ~~The funds appropriated above in Strategy C.2.6, Windham School District, are to be expended only for academic and vocational educational programs approved by the Texas Education Agency. TDCJ shall allocate funds to WSD based on contact hours for the best 180 of 210 school days in each year of the biennium. The contact hour rates for the 2014-15 biennium are the following: \$4.47826 for academic education; \$3.67445 for vocational education. WSD shall use funds appropriated above to serve those students whose participation will help achieve the goals of reduced recidivism and the increased success of former inmates in obtaining and maintaining employment. To achieve these goals, younger offenders with the lowest educational levels and the earliest projected release or parole eligibility dates should receive high priority. This policy shall not preclude WSD from serving other populations according to needs and resources. For students who successfully complete WSD's program during the 2012-13 biennium, the WSD shall report to the Eighty fourth Legislature on the following: recidivism rates, employment rates, and attainment of GEDs, high school diplomas, professional certifications, associate's degrees, and adult education literacy levels.~~
- e. ~~From funds appropriated above in Strategy C.2.6, Windham School District, TDCJ shall identify amounts to be set aside by WSD and expended for a pilot in computer adaptive intensive math and reading intervention programs that address individual needs and develop skills from elementary levels through high school, and a pilot in virtual learning options that allow a student to earn a high school diploma, high school equivalent certification, certification and/or college credit. WSD shall produce a final report for the Eighty fourth Legislature on the implementation and effectiveness of these pilot programs.~~

This veto deletes a contingent rider for a bill that did not pass.

Article IX – General Provisions

Sec. 18.25. Contingency for HB 2824. ~~Contingent on the enactment of House Bill 2824, or similar legislation relating to the Texas High Performance Schools Consortium, by the Eighty third Legislature, Regular Session, 2013, the Texas Education Agency is hereby appropriated \$1,137,761 for fiscal year 2014 and \$1,137,761 for fiscal year 2015 from the General Revenue Fund to implement the provisions of the legislation. In addition, the "Number of Full Time Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 9.0 FTEs in each fiscal year.~~

~~The Texas Education Agency shall cover, at a minimum, the costs of the appropriations made in this rider, as well as the "other direct and indirect costs" associated with those functions appropriated elsewhere in this Act. The Texas Education Agency is hereby appropriated all fees generated by~~

~~the Texas High Performance Schools Consortium above the sum of: (1) the amount appropriated by the first paragraph of this rider and, (2) the "other direct and indirect costs" of the agency related to the Texas High Performance Schools Consortium, to implement the provisions of the legislation. In the event that the actual and/or projected fee revenue collections are insufficient to offset program costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.~~

This veto deletes a contingent rider for a bill that I vetoed.

Sec. 18.49. Contingency for SB 1340.

- a. ~~Contingent on the enactment of Senate Bill 1340, or similar legislation relating to the temporary operation of a race track extension location, by the Eighty third Legislature, Regular Session, 2013, the Racing Commission is appropriated \$17,500 in GR Dedicated Texas Racing Account No. 597 funds during each fiscal year of the 2014-15 biennium for each new race track that begins the temporary operation of an extension location for the first time during the biennium (estimated to be two race tracks in fiscal year 2014 and two additional race tracks in fiscal year 2015) to implement the provisions of the legislation. This appropriation is also contingent on the Racing Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2014-15 biennium, \$21,411 for fiscal year 2014 and \$21,411 for fiscal year 2015 for each new race track that begins temporary operation of an extension location during the 2014-15 biennium in excess of \$7,965,000 in fiscal year 2014 and \$7,979,000 in fiscal year 2015 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2014 and 2015. Also, the "Number of Full Time Equivalents(FTEs)" indicated in the agency's bill pattern shall be increased by 0.3 FTEs in each fiscal year for each new race track that begins temporary operation of an extension location during the biennium, contingent upon the agency meeting the above revenue target. The Racing Commission, upon completion of necessary action to assess or increase such additional fees, shall furnish a copy of the Racing Commission's minutes and other information supporting the estimated revenues to be generated for the 2014-15 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriations shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$25,000 and other direct and indirect costs (estimated to be \$7,822) for the 2014-15 biennium.~~

~~b. Contingent on the enactment of Senate Bill 1340, or similar legislation relating to the temporary operation of a race track extension location, by the Eighty third Legislature, Regular Session, the Racing Commission is appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e §6.08 (j) for the Texas Bred Incentive Program that is collected by the agency from each additional race track that begins temporary operation of an extension location during the 2014-15 biennium in an amount not to exceed \$92,000 from the GR Dedicated Texas Racing Commission Account No. 597 each year for each new race track that begins temporary operation of an extension location. Any appropriations from revenue collected by the agency from new race tracks temporarily operating extension locations for the Texas Bred Incentive Program during the 2014-15 biennium may be used only for that purpose and are not transferable to any other strategy.~~

This veto deletes a contingent rider for a bill that did not pass.

~~**Sec. 18.54. Contingency for SB 1554.** Contingent on the enactment of SB 1554, or similar legislation relating to the establishment of a matching grant program for community development in certain municipalities and counties by the Eighty third Legislature, Regular Session, there is hereby appropriated to the Texas Department of Agriculture out of the General Revenue Fund in Strategy F.1.1, Rural Community and Economic Development, \$1,071,514 in fiscal year 2014 and \$1,071,513 in fiscal year 2015 to administer a Community Development Matching Grant Program to fund public infrastructure for economic development objectives in certain municipalities and counties. Additionally, the "Number of Full Time Equivalents (FTE)" is increased by 1.0 FTE in each fiscal year of the 2014-15 biennium.~~

This veto deletes a contingent rider for a bill that did not pass.

~~**Sec. 18.55. Contingency for SB 1680.** Contingent on enactment of SB 1680, or similar legislation relating to new requirements related to state agency contracting, by the Eighty third Legislature, Regular Session, 2013, the Comptroller of Public Accounts is appropriated \$60,000 in General Revenue for each fiscal year of the 2014-15 biennium to implement the provisions of the legislation. In addition, the "Number of Full Time Equivalents (FTE)" is increased by 1.0 in each fiscal year of the 2014-15 biennium.~~

This veto deletes a contingent rider for a bill that did not pass.

I have signed Senate Bill No. 1 together with this proclamation stating my objections in accordance with Article IV, Section 14 of the Texas Constitution.

Since the Legislature by its adjournment of the Regular Session has prevented the return of this bill, I am filing this bill and these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 15 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

As governor, I have focused on making higher education more affordable, accountable and accessible, and I will continue to support innovative ideas that will improve the quality of our universities.

Limiting oversight authority of a board of regents, however, is a step in the wrong direction. History has taught us that the lack of board oversight in both the corporate and university settings diminishes accountability and provides fertile ground for organizational malfeasance.

I am committed to improving higher education and making sure students and taxpayers receive the greatest value for the investment they make in higher education. We have achieved great success to that end, and must continue to build upon it.

Strengthening our institutions is crucial to keeping Texas competitive and a magnet for business relocation, expansion and start-ups, which provide jobs and allow our citizens to prosper and build better lives for themselves and their families. Texas institutions of higher education have the opportunity to make our state even greater than it is today, and we must insist on finding ways to utilize innovative techniques and technology to make college more attainable for all. By implementing efficiencies designed to improve access and lower the cost to students, including reducing tuition, and providing an accountable and quality education we can prepare our students for a successful future.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 17 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

A safe, secure learning environment is essential to all Texas students. To provide adequate security, we must ensure school safety planning and preparation for all levels of emergencies and threats.

SB 17 falls short of clearly expressing the role armed school employees would play during times of crisis and emergencies and the qualifications and standards they would have to meet, fails to address secure weapon storage, and carries a \$10 million fiscal note.

I have signed HB 1009 and SB 1857, which take a far more measured approach to school safety, and do not impose a large fiscal burden on taxpayers.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 219 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

SB 219 contains several important changes to the state's ethics laws, especially those relating to the sworn complaint process. However, these positive changes are outweighed by several provisions added late in the legislative process without an open and honest discussion.

The last-minute addition of a resign-to-run requirement for members of the Railroad Commission would change the structure of a constitutional agency without the consent of Texas voters. Any effort to amend a constitutional office should go to a vote of the people.

This bill would also strip a journalist's testimonial privilege if the journalist has made direct political expenditures, or is affiliated with entities that make such expenditures.

SB 219 also allows the Ethics Commission to set an annual document filing fee for candidates and groups who file campaign finance reports. Candidates should not be charged for participating in a process intended to be transparent, to pay for a state agency. The legislature should continue to set the fee to run for office in a transparent and open way, rather than leave that to a state agency.

The Legislature had an opportunity, through the Sunset review process, to make needed changes to our campaign finance, lobby and financial disclosure laws - changes that are needed to modernize laws while still protecting our rights and providing for transparency. I urge the Legislature to look closely at our ethics laws during the interim in an open, deliberative and transparent way, so that all voices are heard and all proposals are thoroughly discussed.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 227 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

SB 227 would circumvent existing safeguards for the dispensing of certain prescription cosmetic drugs by allowing physicians and optometrists to sell these medications directly. It is the role of pharmacists - who are trained specifically in drug interactions, side effects and allergies - to dispense the medications. Additionally, the State Board of Pharmacy has the authority to inspect pharmacies to ensure drugs are stored securely and at safe temperatures.

I share concerns from within the health care community that though these drugs are used for aesthetic purposes, they are still prescription-strength drugs with potentially dangerous side effects and interactions, and therefore should remain subject to existing safety protocols and oversight.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 429 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

SB 429 would create another law to address an issue judges already have the ability to address. The Texas Family Code already authorizes judges in suits affecting the parent-child relationship to consider whether a child custody or child support order is appropriate to protect the child's best interest.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 504 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

SB 504 would remove the state's requirement that schools screen all students in the 6th and 9th grades for spinal abnormalities.

This screening detects spinal curvatures, helping avoid extensive surgery, scoliosis or abnormal curvatures later in life.

To ensure children receive the attention and treatment they need for abnormal curvatures, Texas must remain vigilant and retain this required screening.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 722 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

Ensuring the integrity of our state's election process is a key component of providing a system of fair, open and honest elections. Under current law, if a voter cannot communicate with poll workers in a common language, the voter is entitled to use an interpreter of the voter's choice who is a registered voter in that county. Often, this is a family member or other person in whom the voter personally has confidence.

SB 722 would allow the authority conducting the election to select the interpreter, thus subjecting the voter to someone with whom they are not familiar. While an interpreter selected by the voter could not be the voter's employer, agent of the employer or agent of the voter's labor union, there would be no such bar on interpreters appointed by the entity conducting the election. In an election where the entity is an employer of many voters, such as a school bond election, this could lead to the perception of undue influence, as an administrator or other person with authority over likely voters is allowed to be present at the polls.

Moreover, the elimination of the requirement that an interpreter selected by the voter be from the county will lead to the likelihood of undue influence being placed on the voter to agree to "select" activists from outside the area with whom the voter is not familiar.

The current system provides appropriate safeguards and ensures the integrity of our election system. This system should be retained.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 889 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

SB 889 would increase the size of the Texas Physician Assistant Board from nine members to 13, representing an unnecessary expansion of government.

The board currently has three physician assistant members, three physician members, and three public members. Though most regulatory boards consist of a majority of members from the occupation they oversee, this board does not afford that advantage to physician assistants. However, physician assistants could be given a majority on their own board by amending the makeup of the existing, nine-member board. Expansion of board membership is not needed.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1234 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

Senate Bill 1234 attempts to change how truancy is handled by placing progressive sanctions on students based on recommendations established in a behavioral improvement plan. While these plans are meant to hold students accountable for attendance and behavior management, they do not track the child from district to district and are lost as a student transfers from one school to another, which is common for chronically truant students.

Senate Bill 1234 will hurt established local programs and prevent schools from identifying and helping address the issues students are facing. Additionally, SB 1234 conflicts with other legislation, such as SB 393, concerning which truanancies are considered a ticketable offense.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1606 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

Senate Bill 1606 would provide that a taxing authority has a annual lien that automatically attaches to all business personal property that the business owns in the state, including property outside the taxing authority's jurisdiction. Current law gives taxing units authority to deal with taxpayers who move property around the state in an attempt to avoid taxation, while also protecting taxpayers from overly aggressive taxing authorities. By providing taxing authorities with an automatic lien on property they do not have the authority to tax, this bill could lead to abusive taxing authorities overextending their reach, to the detriment of smaller taxing units and taxpayers.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

(Seal)

/s/Rick Perry
Governor of Texas

ATTESTED BY:

/s/John Steen
Secretary of State

In Memory
of
Rex Neal Van de Putte
Senate Resolution 1097

WHEREAS, The Senate of the State of Texas joins citizens across the state in mourning the untimely loss of Rex Neal Van de Putte, who passed away on May 7, 2013, at the age of five and one-half months; and

WHEREAS, Rex Van de Putte was born on November 16, 2012, to Samantha Isaacs and Gregory Rex Van de Putte; he was heartily welcomed into this world by his parents and his brothers, Elliot and Asher, and by his grandparents and many other relatives and friends; and

WHEREAS, Even before his birth, Rex was special and deeply loved, so his arrival was an occasion for great joy on the part of his entire family; and

WHEREAS, An adorable baby boy with beautiful blue eyes and a winsome smile, Rex was a charmer; he had a sweet chuckle and an easy disposition and his own distinctive and engaging personality; and

WHEREAS, Rex was blessed to have the love of two wonderful dedicated and caring parents, and although his time on this earth was tragically short, his love for them and the joy he brought them are gifts they will treasure forever; and

WHEREAS, Rex was an endearing, cherished, special little person, and his brief presence among us reminds us to embrace life's most precious moments and hold them close to our hearts; and

WHEREAS, While he graced this world for only a few months, Rex Van de Putte was beloved by many, and he leaves behind memories that will continue to live in the hearts and minds of all who were blessed to know him; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincerest condolences to our bereaved colleague, Senator Leticia Van de Putte, and the entire family of Rex Neal Van de Putte; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate of the 83rd Legislature adjourns sine die this day, it do so in memory of Rex Neal Van de Putte.

ZAFFIRINI
WHITMIRE

In Memory
of
Remarcus Larry West
Senate Resolution 1098

WHEREAS, The Senate of the State of Texas joins the citizens of Dallas and Texans across the state in paying tribute to the life of Remarcus Larry West, who died December 26, 2011, at the age of 33; and

WHEREAS, Born in Houston on October 3, 1978, Remarcus West spent his childhood years in Dallas, where he attended Good Street Baptist Church and became a devout Christian at a young age; and

WHEREAS, Remarcus graduated from Duncanville High School in 1997 and went on to pursue his studies at the University of North Texas and at Prairie View A&M University; he was employed for a time at Southwest Airlines, and he took pleasure in his work and was well-liked by his co-workers, who enjoyed his cheerful nature and his sense of humor; and

WHEREAS, Remarcus dreamed of furthering his education by studying photography in New York, but he battled a longtime illness that prevented him from achieving his goal; he nevertheless took time to shadow several well-known photographers as a means of pursuing his interest and cultivating his own talent; and

WHEREAS, Remarcus was beloved by his peers and admired for his talent as a coalition builder who had the ability to bring people together regardless of their differences; he was also noted for his strength and optimism, and his steadfast courage in the face of his illness was inspirational to all who knew him; and

WHEREAS, In spite of the challenges in his life, Remarcus remained undaunted; he was an adventurous, free-spirited man who was quick to laugh, was a bit of a daredevil, and loved to travel; he was also a warm, caring, kindhearted person who was devoted to his parents, siblings, and friends; and

WHEREAS, Remarcus West lived his life to the fullest and never gave up hope; an extraordinarily brave person with high standards and a generous spirit, he will long be remembered with affection and appreciation by all who were privileged to know him; and

WHEREAS, In memory of Remarcus West, the Remarcus L. West Memorial Scholarship Fund has been established at the University of North Texas at Dallas; the scholarship is intended to help students surmount their own obstacles and attain their dreams and educational goals, and it will serve in the years to come as a reminder to all of the exemplary life of Remarcus L. West; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to our bereaved colleague, Senator Royce West, and the entire family of Remarcus Larry West; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the family as an expression of deepest sympathy from the Texas Senate, and that when the Senate of the 83rd Legislature adjourns sine die this day, it do so in memory of Remarcus West.

NELSON
WHITMIRE

In Memory
of
Gregory Steven Spaw
Senate Resolution 1099

WHEREAS, The Senate of the State of Texas mourns the untimely passing on November 5, 2012, of Gregory Steven Spaw, the beloved youngest child of Steve Spaw and Secretary of the Senate Patsy Spaw; and

WHEREAS, The death of a child is an unfathomable tragedy that forever alters the family and loved ones left behind; whether the child is four or 40, their premature passing leaves a void in the lives of those near and dear to them that cannot be filled; yet their death can also cause us to remember and reflect—on the cherished memories they created, on the lessons they taught us, and on the influence they still have on our daily lives despite their physical absence; and

WHEREAS, Greg Spaw was born in Austin on April 4, 1972, and when he was five, the family moved to Elgin; he attended Elgin schools and, later, Tarleton State University and Texas A&M University; at Elgin High School, he was a noted all-around athlete, and in his senior year, he was named to the all-state baseball team; and

WHEREAS, For Greg, baseball was a game not just to play but to study and to teach; one of his greatest passions was coaching his children, and he used the game to teach his players life lessons and to instill in them the benefits of teamwork, sacrifice, and camaraderie; Greg was unfailingly positive with his players, preferring to build them up with words of encouragement rather than tear them down with criticism; and

WHEREAS, Greg took the same loving approach with his family, to whom he was steadfastly devoted; in all the things he did, he sought to make his home a safe and joyous one for his family; they were the center of his life, and the happiness he brought them and the memories they shared will live forever in the hearts of his beloved wife, Becky, and their seven children, Tyler, Taylor, Jackie, Caleb, Trinity, Gregory, and Cadie; and

WHEREAS, Greg was a special person, and people were easily drawn to him due to his natural charisma; the twinkle in his eye, his disarmingly quick grin, and his firm handshake and warm "howdy" endeared him to everyone he met; and

WHEREAS, Beloved by his friends and respected by his co-workers, he was a genuine and kindhearted person who truly loved helping others and always made time for them; a true Aggie, he was a man of deep conviction whose word was his bond, and he worked hard to teach his children the value of honesty; and

WHEREAS, Greg had a strong appreciation for the simple things in life; a bear of a man with incredible strength, he enjoyed the outdoors and found great beauty in the natural world—he loved animals, flowers and trees, hay meadows, and the spring rain; and

WHEREAS, Though Greg's time on this earth was too short, he left an imprint on the world that will not be forgotten by his parents, by his wife, children, and grandchildren, by his three siblings and their spouses, and by all those who were blessed to know him and to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincerest condolences to our bereaved Secretary of the Senate, Patsy Spaw, and the entire family and other loved ones of Gregory Steven Spaw and join them in grieving his absence and in celebrating his life and legacy; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of deepest sympathy from the Texas Senate, and that when the Senate of the 83rd Legislature adjourns sine die this day, it do so in memory of Greg Spaw.

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